

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK

CARLOS ZELAYA, RUTH ZELAYA, BY HER GUARDIAN AD LITEM CARLOS ZELAYA, AND CARLOS ZELAYA AS ADMINISTRATOR AD PROSEQUENDUM OF THE ESTATE OF JOSE CARLO ZELAYA	:	Civil Action
	:	
	:	Case No. 08CV2933
	:	
Plaintiff	:	
vs.	:	WAIVER OF SERVICE OF SUMMONS
MADISON SQUARE GARDEN, L.P., CABLEVISION SYSTEMS CORP., STITCH BAR & LOUNGE, INC., & KEVIN FREIBOTT	:	
	:	
Defendants	:	

TO: Luis L. Haquia, Esq.  
Davis, Saperstein & Salomon  
375 Cedar Lane  
Teaneck, NJ 07666

I acknowledge receipt of your request that I waive service of a summons in the action of *Zelaya, et als v. Madison Square Garden L.P., et als* which is case number 08cv2933 in the United States District Court for the Southern District of New York. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after June 4, 2001, or within 90 days after that date if the request was sent outside the United States.

Dated: 4-15-08

  
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Printed/typed name: Melanie Gardina

Claims Adjuster  
Progressive Insurance on  
Behalf of Defendant, Kevin Freibott